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HOUSE BILL 222  
By Turner (Ham)

AN ACT to amend Tennessee Code Annotated, Title 63 and Title 68, relative to health care providers.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Every physician licensed pursuant to Tennessee Code Annotated, Title 63, Chapters 6 and 9, shall post in a prominent location in any premises in which patients are seen by such physician or by a health care provider who is employed by or who is under such physician's supervision a list of charges for services provided on such premises. Any fee which is billed separately from the "office visit" fee shall be listed separately and designated as a separate fee. Such list of fees shall state whether or not the "office visit" fee charged by the physician is the same as the "office visit" fee charged for the services of the health care providers employed or supervised by such physician. If different fees are charged, then such fees shall be included in the list.

SECTION 2. If a patient making an appointment to see a physician licensed pursuant to Tennessee Code Annotated, Title 63, Chapters 6 or 9, will be assigned by such physician to be seen instead by a physician assistant, a nurse, a nurse practitioner or nurse midwife, such patient shall be informed of such assignment at the time the appointment is made. If the patient wishes to be seen by the physician instead of such other health care providers, an appointment shall be made with the physician or the patient shall be informed that an appointment with the physician cannot be made.

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SECTION 3. If a physician licensed pursuant to Tennessee Code Annotated, Title 63, Chapters 6 or 9, misses an appointment with a patient due to an emergency or for any other reason not caused by such patient, then the patient shall be given a choice of whether to be rescheduled to see the doctor as soon as practicable or to be seen by a physician assistant, nurse, nurse practitioner or nurse midwife.

SECTION 4. Any physician who violates the provisions of this act shall be liable to the patient for an amount equal to the fee charged to the patient for services rendered to the patient on the day of the violation. If no services are rendered but there is a violation of the provisions of Sections 2 or 3, then the amount of the liability shall equal an amount equal to the "office visit" fee charged by the physician. Such amount shall be paid directly to the patient. If such amount is not paid within sixty (60) days of the violation, the physician shall be liable for treble the amount of the "office visit" fee and any cost of collection incurred by the patient, including reasonable attorney fees and court costs. For purposes of this act, the physician is liable for violations of this act committed by persons employed or supervised by such physician.

SECTION 5. This act shall take effect on July 1, 1997, the public welfare requiring it.